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FLOOR DEBATE

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                         LR 209

the constitution--and you can correct me, Senator--simply says that a lottery will be established, and that the Legislature will have discretion over the use of those lottery funds. I believe there's nothing in the constitution now about either a...use of those funds for either education or environmental purposes.

SENATOR CHAMBERS: Senator Raikes, do you remember the vote in favor of your amendment, by chance?

SENATOR RAIKES: I don't specifically, Senator, no.

SENATOR CHAMBERS: But it had to be a majority of the body, or it would not have been adopted. Would you agree with that?

SENATOR RAIKES: Right, I would.

SENATOR CHAMBERS: If this proposal contained in LR 29CA (sic--LR 209CA), which would take 10 percent of the lottery funds and give them to the State Fair Board, then set the amount that goes to the Environmental Trust Fund and the amount that would go to education, in order to try to get more than the amount set in the constitution for education, the Legislature would have to do some fancy stepping, and there could be the possibility of litigation to prevent the Legislature from doing that. Do you think that is a fair statement?

SENATOR RAIKES: I do think that's a fair statement. And I...you're probably ahead of me. I'm not sure exactly, if the Legislature wanted to do something other than that 44.5 percent prescription, I'm not sure how that would be done.

SENATOR CHAMBERS: If that proposal in LR 29CA (sic--LR 209CA) were not to be put into the constitution, if when the time came to dole that money out more than what was thought would be needed would actually be needed, the entire pool of lottery money could be available for that purpose if the Legislature chose to use it for that purpose. Would you agree?

SENATOR RAIKES: You're saying, in the absence of LR 209CA?